

REMARKS

The following remarks are submitted to be fully responsive to the Official Action mailed November 2, 2006. It is further submitted that this response is timely filed within the shortened-statutory period as extended by the one-month request for extension of time filed concurrently herewith. Reconsideration of all outstanding grounds of rejection and allowance of the subject application are respectfully requested.

Each of independent claims 1, 21, and 34 are rejected under 35 U.S.C. 103 (a) as being obvious by the combination of the reference to Iwen et al and Eller et al. It is submitted that each of the currently amended independent claims 1, 21 and 34 are patentably distinct from any attempted combination of the Iwen et al and Eller et al references for at least the reasons set out below. Moreover, dependent claims 2, 6-20, 22-27, 29-33, and 35-37 are also patentable at least in that they depend from allowable independent claims.

Claim 1 recites a method of creating an enclosure and controlled environment and that first and second barrier sheets are provided as separate lengths of flexible polymeric film and in an overlapping relationship to one another and are attached in such overlapping relationship to first and second structural elements of preexisting structure. A holding system is claimed as provided over at least an edge zone and intermediate zone of a major surface of each length of barrier sheet. In claim 21, a method of abatement includes a step that plural barrier sheets are used, each with a holding system as above, and that the first and second barrier sheets are overlapped with adhesive of the holding systems and secured to plural non-working surfaces. Claim 34 recites an enclosure that comprises plural length of flexible barrier sheets with lengthwise overlapping of sheets and with each barrier sheet including a holding system, also as above, and with the overlapping barrier sheets extending between plural non-working surfaces as part of the formed enclosure.

In addressing an aspect claimed in each of these independent claims 1, 21, and 34 regarding the use of plural barrier sheets arranged in an overlapping relationship and secured by a holding system to plural existing structural elements or plural non-working surfaces, the Examiner suggests that it would be obvious to modify the system and method of Iwen et al as taught by Eller et al to secure film sheets as overlapping sheets because Eller et al shows overlapping sheets 20. Applicant's submit that this rejection of record is improper and should be withdrawn for at least the reasons as follows.

The attempted combination relied upon by the Examiner would entirely eviscerate the purpose of the Iwen et al reference. Iwen et al teach to use a “specially made barrier material” (col. 1, line 67) so that a single sheet is used to create a two-ply barrier (col. 3, lines 28-32 and 60-67). An important aspect of this special design is to eliminate seams even with providing a tow-ply barrier. A method of making this special barrier material is described at col. 6, lines 11-34 that provides at least one fold line (see also col. 2, line 2). Of importance to the presently claimed invention, Iwen et al does use adhesive as a holding system to assist in hanging this multiple-ply sheet to get the multiple-ply barrier from a single material hanging. Eller et al does not disclose any such holding system as claimed, but is relied upon by the Examiner for showing sheets 20 that are hung on single wall surfaces with an overlap between sheets.

The suggested combination by the Examiner would thus require that Eller et al teach to Iwen et al that instead of hanging a single material to create multiple plies, which is the key aspect of Iwen et al, to instead cut the special material into separate sheets and then apply them in an overlapping relationship. This would also suggest to Iwen et al to create seams where the whole purpose of its design is to eliminate seams while creating multiple-ply. Any attempt to create Applicants’ claimed methods and systems from these references must fail as they teach completely different and inconsistent methodologies. Moreover, neither reference discloses or suggests other aspects of the methods and systems as are presently claimed. The Eller et al reference fails to disclose overlapping sheets where overlapping sheets create a barrier as extending between plural structural elements or non-working surfaces. With this deficiency, Eller et al could not suggest any manner of achieving the presently claimed methods and systems to any other reference, much less to the fundamentally different method of Iwen et al.

Applicants have discovered a way to allow seams in an enclosure environment so that the barrier sheets are manageable for hanging and yet effectively provide a controlled environment. With the use of the claimed holding system, these barrier sheets can be easily hung and the controlled environment can be effectively created contrary to the express teachings of a barrier system as disclosed by Iwen et al, for example. Again, any suggestion to modify the Iwen et al system to create seams or overlapping sheets from separate sheets would be entirely inconsistent with their purpose and would destroy their system and method as disclosed and claimed.

Withdrawal of the rejection of Iwen et al in view of Eller et al is respectfully requested. Moreover, no combination of these references or any other references of record would disclose or suggest the methods and enclosure systems as are presently claimed.

Accordingly, it is submitted that presently pending claims 1, 2, 6-27, and 29-37 are currently in condition for allowance, a notice of which is earnestly solicited. If the Examiner finds any issue remaining after consideration of this response, the Examiner is requested to contact the undersigned, at the Examiner's convenience, in order to expedite any remaining prosecution.

Respectfully Submitted,

Dated: March 2, 2007

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